Remarks

Applicants respectfully request reconsideration of this application as amended. No claims have been amended. No claims have been cancelled. Therefore, claims 1-23 are presented for examination.

The present claims stand provisionally rejected under the judicially created doctrine of obvious-type double patenting as being unpatentable over claims of co-pending Application No. 10/028,467. Applicant submits that a terminal disclaimer in compliance with 37 CFR 1.321(c) will be filed upon resolution of the prior art rejections.

The drawings are objected to under 37 CFR 1.83(a). In a related rejection claims 7, 16, 19 and 23 stand rejected under 35 U.S.C. §112, first paragraph, as failing to comply with the written description requirement. Particularly, both of these issues are based on the assertion that there is no disclosure in the figures or specification of receiving a third identification (ID) at the computer system from the server via the transmission medium and comparing the third ID with a fourth ID stored at a second analog front end coupled to the computer system.

Applicant submits that the both the drawings and the specification properly disclose the claimed subject matter. Applicant's specification discloses the ability to interchange radio modules coupled to a digital baseband unit. See specification at paragraph [0035]. As a result, various analog front ends (AFEs) are implemented to provide different types of software radio modules. Id. Figure 3 discloses one embodiment of an AFE, which may be implemented using one of a plurality of analog radio devices. See specification at paragraph [0042]. Thus, one AFE may be implemented as a 2.4 GHz radio, while a second AFE may be implemented as a 5.1 GHz radio. Id. The specification further discloses that an AFE ID is associated with each AFE. See specification at paragraph [0045].

Meanwhile, Figure 4 discloses a process for certifying a new AFE. The process includes receiving and storing an AFE ID in memory and comparing the received AFE ID with a previously stored AFE ID. One of ordinary skill in the art will recognize that since a second AFE would have a different AFE ID from a first AFE, the received (first) ID and stored (second) ID for the first AFE would also be different from the received (third) ID and stored (fourth) ID for the second AFE. Therefore, the specification properly describes the claimed subject matter. In addition, the figures are shown having a general layout that would apply to the application of a system that implements multiple radios. Accordingly, the figures are also in proper condition.

Claims 1-4 and 7-23 stand rejected under 35 U.S.C. §103(a) as being unpatentable over England et al. (U.S. Patent No. 5,511,069) in view of Liao et al. (U.S. Patent No. 6,292,833). Applicant submits that the present claims are patentable over England in view of Liao.

England discloses a bus interface that allows a computer system to control the reception and transmission of data by either a wired communication device (i.e., a telephone line) or a wireless communication device (i.e., a radio transceiver). See England at col. 2, ll. 53-58) and Figure 1. Nevertheless, nowhere in England is there disclosed or suggested a software radio application. In fact, the Office Action admits that England does not disclose certifying a software radio. See Office Action at paragraph 7. Instead, the Office Action asserts that Liao discloses such a feature. Id.

Liao discloses mobile device message processing performed by a mobile device. The processing 300 initially by determining whether a message has been received from a network. If a message has been received from a network, it is determined whether the message requests local service access. If it is determined that the message does request access to the local services of the mobile device, a service identity for the message is obtained. Once the service identity is obtained, the service identity for the message is compared with authorized service identities. Next, it is determined whether a match has been

found based upon the comparison of the service identity for the message with the authorized service identities. If it is determined that a match has not been found, the message is denied access to the local services of the mobile device. On the other hand, if a match has been found, then the message (i.e., executable code) is executed and thus able to access the local services of the mobile device. The execution of the message is thus permitted to access the local services of the mobile device. See Liao at col. 6, ll. 22 – col. 7, ll. 54.

Claim 1 of the present application recites certifying a first software-defined radio for operation if a first ID matches a second ID. First, there is no disclosure in Liao of a software-defined radio. Liao simply discloses a mobile device. Applicant submits that a mobile device is not necessarily a software-defined radio. Moreover, Liao discloses comparing a received service identity and an authorized service identity and authorizing access of local services at the device if there is a match. Applicants submit that authorizing access to local services at a device is not equivalent to certification of a software-defined radio.

Since neither England nor Liao disclose or suggest certifying a first software-defined radio for operation if a first ID matches a second ID, any combination of England and Liao would also not disclose or suggest such a feature. As a result, claim 1 is patentable over England in view of Liao. Claims 2-7 depend from claim 1 and include additional features. Thus, claims 2-7 are also patentable over England in view of Liao.

Claim 8 recites a first software-defined radio being certified for operation by authenticating a first identification (ID) received at a baseband unit with a second ID stored at a first analog front end. For the reasons described above with respect to claim 1, claim 8 is also patentable over England in view of Liao. Because claims 9-16 depend from claim 8 and include additional features, claims 9-16 are also patentable over England in view of Liao.

Claim 17 recites a server computer, coupled to a transmission medium, that transmits first identification (ID) data to a first client computer upon receiving a request from the client computer to certify a first software-defined radio implemented at the first client computer.

Thus, for the reasons described above with respect to claim 1, claim 17 is also patentable over England in view of Liao. Since claims 18 and 19 depend from claim 17 and include additional features, claims 18 and 19 are also patentable over England in view of Liao.

Claim 20 recites receiving a request at a server computer to certify a first software-defined radio implemented at a first client computer and transmitting first identification (ID) data corresponding to the first software-defined radio to the first client computer. Thus, for the reasons described above with respect to claim 1, claim 20 is also patentable over England in view of Liao. Since claims 21-23 depend from claim 20 and include additional features, claims 21-23 are also patentable over England in view of Liao.

Claims 5-6 stand rejected under 5 U.S.C. §103(a) as being unpatentable over England et al. (U.S. Patent No. 5,511,069) in view of Liao et al. (U.S. Patent No. 6,292,833) as applied in claim 1 above, and further in view of Paulsen et al. (U.S. Patent No. 6,055,575). Applicant submits that the present claims are patentable over England and Liao even in view of Paulsen.

Paulsen discloses a system and method for remote users to access a private network having a first communications protocol via a public network in a secure manner so that the remote user appears to be connected directly to the private network and appears to be a node on that private network. A host connected to the private network may execute a host software application which establishes and provides a communications path for secure access of the remote client computer. An encrypted data stream may be communicated between the host and the client representing traffic and commands on the network. See Paulsen at Abstract.

Nevertheless, Paulsen does not disclose a process of certifying a software-defined radio. As discussed above, neither England nor Liao disclose or suggest certifying a first software-defined radio for operation. Since England, Liao and Paulsen individually do not disclose or suggest certifying a first software-defined radio for operation, any combination of

England, Liao and Paulsen also would not disclose or suggest such a feature. Consequently, the present claims are patentable over England and Liao in view of Paulsen.

Applicants respectfully submit that the rejections have been overcome and that the claims are in condition for allowance. Accordingly, applicants respectfully request the rejections be withdrawn and the claims be allowed.

The Examiner is requested to call the undersigned at (303) 740-1980 if there remains any issue with allowance of the case.

Please charge any shortage to our Deposit Account No. 02-2666.

Respectfully submitted,

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